GOVERNMENT OF INDIA
LAW AND JUSTICE
LOK SABHA

UNSTARRED QUESTION NO:479
ANSWERED ON:19.07.2017
National Litigation Policy
Girri Shri Maheish

Will the Minister of LAW AND JUSTICE be pleased to state:

(a) the salient features of the National Litigation Policy;
(b) whether the Government has taken steps/plans to take steps to reduce litigation pertaining to the Government and if so, the details thereof; and
(c) whether the Government has conducted a study to find out the causes of such a large percentage of cases pending in the courts in which Government is either the sole defendant or sole applicant and is so, the details thereof and if not, the reasons therefor?

Answer

ANSWER
MINISTER OF STATE FOR LAW AND JUSTICE & ELECTRONICS AND INFORMATION TECHNOLOGY

(SHRI P.P. CHAUDHARY)

(a) & (b): With a view to avoid unwarranted litigation and consequent burden on the judicial system and on the public exchequer, a draft National Litigation Policy has been formulated by the Government. The report of the Law Commission on the draft National Litigation Policy has been received and recommendations in the report are under examination. Also, letters have been written by the Hon'ble Minister for Law & Justice to all the Ministries/Departments in the Month of April, 2017 to chalk out an action plan for special arrears clearance drives to reduce the number of court cases and to send a quarterly report on reduction in total number of Court cases withdrawn/settled/disposed as well as containing information about the total number of court cases, the number of court cases that have been reduced and the number of court cases that have been withdrawn after executive order or following ADR methods.

(c) Law Commission in its 100th Report on "Litigation by and against the Government" has made some recommendations for reform. In its 126th Report on 'Government and Public Sector Undertaking Litigation Policy and Strategies', Law Commission has discussed the contributory causes for multiplication of the Government litigation and has, inter alia, described that the Government and Public Sector Undertakings must have their own litigation policy as well as strategies to reduce Litigation.